

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Turner OF Ohio, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

68
Revised

**AMENDMENT TO H.R. 1585, AS REPORTED
OFFERED BY MR. TURNER OF OHIO**

At the end of subtitle H of title V, add the following
new section:

1 **SEC. 577. PROTECTION OF CHILD CUSTODY ARRANGE-**
2 **MENTS FOR PARENTS WHO ARE MEMBERS OF**
3 **THE ARMED FORCES DEPLOYED IN SUPPORT**
4 **OF A CONTINGENCY OPERATION.**

5 (a) CHILD CUSTODY PROTECTION.—Title II of the
6 Servicemembers Civil Relief Act (50 U.S.C. App. 521 et
7 seq.) is amended by adding at the end the following new
8 section:

9 **“SEC. 208. CHILD CUSTODY PROTECTION.**

10 **“(a) RESTRICTION ON CHANGE OF CUSTODY.—**If a
11 motion for change of custody of a child of a servicemember
12 is filed while the servicemember is deployed in support of
13 a contingency operation, no court may enter an order
14 modifying or amending any previous judgment or order,
15 or issue a new order, that changes the custody arrange-
16 ment for that child that existed as of the date of the de-
17 ployment of the servicemember, except that a court may
18 enter a temporary custody order if there is clear and con-
19 vincing evidence that it is in the best interest of the child.

1 “(b) COMPLETION OF DEPLOYMENT.—In any pre-
2 ceding covered under subsection (a), a court shall require
3 that, upon the return of the servicemember from deploy-
4 ment in support of a contingency operation, the custody
5 order that was in effect immediately preceding the date
6 of the deployment of the servicemember is reinstated.

7 “(c) EXCLUSION OF MILITARY SERVICE FROM DE-
8 TERMINATION OF CHILD’S BEST INTEREST.—If a motion
9 for the change of custody of the child of a servicemember
10 who was deployed in support of a contingency operation
11 is filed after the end of the deployment, no court may con-
12 sider the absence of the servicemember by reason of that
13 deployment in determining the best interest of the child.

14 “(d) CONTINGENCY OPERATION DEFINED.—In this
15 section, the term ‘contingency operation’ has the meaning
16 given that term in section 101(a)(13) of title 10, United
17 States Code, except that the term may include such other
18 deployments as the Secretary may prescribe.”.

19 (b) CLERICAL AMENDMENT.—The table of contents
20 in section 1(b) of such Act is amended by adding at the
21 end of the items relating to title II the following new item:

“208. Child custody protection.”.